



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Tari et al.
Title : METHOD AND SYSTEM FOR
REQUESTING PRICES FOR
ELECTRONIC TRADING OF
FINANCIAL INSTRUMENTS
Application No. : 10/014,864
Filing Date : December 11, 2001
Art Unit : 3693
Examiner : James A. Vezeris
Attorney Docket No. : ICOR-004

March 24, 2010

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Request for Reconsideration

Applicants are submitting this request for reconsideration in response to the December 24, 2009 Office Action in the application identified above.

The Examiner has rejected claims 1-15 under second paragraph of 35 USC 112 as allegedly indefinite for failure to particularly point out and distinctly claim the subject matter which Applicants regard as their invention. In support of the rejection, the

Examiner stated that it is unclear in the independent claims what occurs during the second period. Applicants respectfully request that the Examiner reconsider and withdraw this rejection because the independent claims clearly state what occurs during the second period. In the last subparagraphs of independent claims 1, 12, 14, and 15, two or more responders are allowed to trade on two or more responses during the second period. Traders who are not the requestor or the responders are not allowed to trade during the second period. In independent claim 8, permission to trade is extended during a second exclusivity period to members of trading groups associated with the requestor and the responders. Applicant submits that the language in the independent claims 1, 8, 12, 14, and 15 serves as appropriate notification to persons skilled in the art of what constitutes infringement of these claims. This is because that person can ascertain without any undue consideration or experimentation whether or not a contemplated activity involves a time period during which certain specified parties are allowed to trade.

The Examiner asks about whether or not permission of the requestor is required for trading. The claims do not specify whether or not permission of the requestor is required. The claims thus cover both implementations. The Examiner also asks exactly how a trade is consummated. Trades may be consummated in any manner that trades are consummated in electronic trading systems. The Examiner's attention is directed to page 3, lines 19-27, and pages 9 and 10 of the specification for a detailed description of a specific implementation of electronic trading involving two time periods that permit different parties to trade and pertinent information about how trades are consummated in that implementation.

For all of the reasons above, Applicant requests that the Examiner reconsider the rejection of this application, allow all claims, and pass this case to issue. If the Examiner believes that any of this does not address his concerns, or if he has any suggestions about how the application or claims may be improved, he is invited to call the undersigned at the phone number below to discuss the situation.

Respectfully submitted,



Eugene S. Indyk
Registration No. 30,711

366 Rue Road

Monroe Township, NJ 08831

Telephone No.: (732) 521-3926

eugeneindyk@indyklegal.com